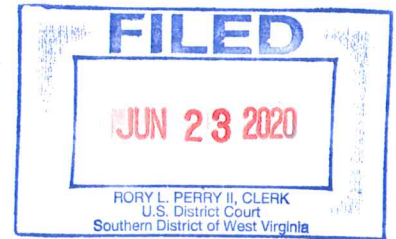


SEALED

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON GRAND JURY 2020
JUNE 22, 2020 SESSION



UNITED STATES OF AMERICA

v.

CRIMINAL NO.

2:20-00088

18 U.S.C. § 922(g)

18 U.S.C. § 924(a)(2)

BRIAN KELLY TOWNSEND

I N D I C T M E N T
(Possession of a Firearm by a Felon)

The Grand Jury Charges:

1. On or about June 11, 2018, at or near Charleston, Kanawha County, West Virginia, and within the Southern District of West Virginia, defendant BRIAN KELLY TOWNSEND did knowingly possess a firearm, that is, a loaded Charter Arms Corp .32 caliber revolver, in and affecting interstate commerce.

2. At the time defendant BRIAN KELLY TOWNSEND possessed the aforesaid firearm, he knew he had been convicted of the following crimes, which were each punishable by imprisonment for a term exceeding one year, as defined in 18 U.S.C. § 921(a)(20):

- a. Convicted on or about February 22, 1995, in the Circuit Court of Kanawha County, West Virginia, of Child Abuse Causing Bodily Injury, in violation of W. Va. Code 61-8D-3, in case number 94-F-350; and

b. Convicted on or about February 10, 2010, in the Circuit Court of Kanawha County, West Virginia, of Third Offense Domestic Battery, in violation of W. Va. Code 61-2-28(d), in case number 09-F-644.

In violation of Title 18, United States Code, Sections 922(g)(1) and 924 (a)(2).

NOTICE OF FOREITURE

Pursuant to 18 U.S.C. § 924(d)(1), 28 U.S.C. § 2461(c), and Rule 32.2(a) of the Federal Rules of Criminal Procedure, upon conviction of an offense in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2) as set forth in the Indictment, defendant BRIAN KELLY TOWNSEND shall forfeit to the United States of America any firearm or ammunition involved in or used in any knowing violation of 18 U.S.C. § 922(g), including, but not limited to, a Charter Arms Corp 32 caliber revolver bearing serial number 360192, with ammunition, seized by Kanawha County Sheriff's Office on or about June 11, 2018.

MICHAEL B. STUART
United States Attorney

By: *Julie M. White*
JULIE M. WHITE
Assistant United States Attorney